

Attorney Docket: 27074U

MAIL STOP PCT

U.S. Department Of Commerce, Patent And Trademark Office		Date: December <u>9</u> , 2005
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No. <u>3007560116</u> (if known): Not Yet Assigned
International Application No.: <u>PCT/EP2004/051120</u>	International Filing Date: <u>15 June 2004 (15.06.2004)</u>	Priority Date Claimed: <u>16 June 2003 (16.06.2003) EP</u>
Title of Invention: COMPOSITION COMPRISING A PULMONARY SURFACTANT AND A PDE5 INHIBITOR FOR THE TREATMENT OF LUNG DISEASES		
Applicants for DO/EO/US: WOLLIN, Stefan-Lutz		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <p>5. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>6. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <p>7. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>8. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>9. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>* ITEMS 10 to 19 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <p>10. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>11. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>12. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>13. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>17. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>19. <input checked="" type="checkbox"/> Other items or information: Application Data Sheet; International Publication Number: WO 2004/110450 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 23 December 2004 (23.12.2004), which consists of 28 pages: 1 page for the Cover Sheet, 20 pages of Textual Specification, 7 pages of 28 Claims, 0 sheets of Drawings; Preliminary Amendment with Appendices A and B to be Examined; Executed Declaration and Power of Attorney; PCT/IPEA/409 (International Preliminary Report on Patentability); PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application); PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application); PCT/IB/332 (Information Concerning Elected Offices Notified of Their Election); PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document); PCT/RO/101 (PCT Request); Postcard for Early Notification of the Serial Number Request.</p>		

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U.S. Application Number: 80/560116 (if known: None assigned)	International Application Number: PCT/EP2004/051120	Date: December <u>9</u> , 2005
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The following fees are submitted:	<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
21. Basic National Fee \$ 300.00	\$ 300.00	
22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) \$ 100.00 All other situations \$ 200.00	\$ 200.00	
23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office \$ 400.00 All other situations \$ 500.00	\$ 400.00	
— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.		
ENTER APPROPRIATE BASIC FEE AMOUNT =	\$ 900.00	

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00	
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CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE	
TOTAL	43-20=	23	X \$ 50.00	\$ 1,150.00
INDEPENDENT	4-3=	1	X \$ 200.00	\$ 200.00
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =				\$ 2,250.00
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00
SUBTOTAL =				\$ 2,250.00
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00
TOTAL NATIONAL FEE =				\$ 2,250.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00
TOTAL FEES ENCLOSED =				\$ 2,250.00
Amount to be: refunded				\$
charged				\$

IAP8 Rec'd PCT/PTO 09 DEC 2005

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U.S. Application Number:
(if known): Not Yet Assigned

International Application
Number: PCT/EP2004/051120

Date: December 9, 2005

10/560116

- a. One check in the amount of \$ 2,250.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. Fees are to be charged to a credit card _____. WARNING: Information on this form may become public _____. Credit Card Information should not be included on this form.
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

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10/560116

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PCT/EP2004/051120 09 DEC 2005

Attorney Docket: 27074U
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
WOLLIN

Serial No.: Not Yet Assigned
Filed: December 9, 2005
International Appl. No.: PCT/EP2004/051120
International Filing Date: 15 June 2004 (15.06.2004)
Title: COMPOSITION COMPRISING A PULMONARY SURFACTANT AND A PDE5 INHIBITOR FOR THE TREATMENT OF LUNG DISEASES

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

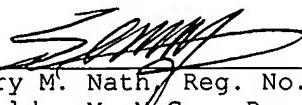
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2004/110450 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 23 December 2004 (23.12.2004), which consists of 28 pages:
 - 1 page for the Cover Sheet,
 - 20 pages of Textual Specification,
 - 7 pages of 28 Claims,
 - 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A and B to be Examined;
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/IPEA/409 (International Preliminary Report on Patentability);
- 7) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 8) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application)
- 9) PCT/IB/332 (Information Concerning Elected Offices Notified of Their Election);
- 10) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 11) PCT/RO/101 (PCT Request);
- 12) Check No.: 1346 in the Amount of \$ 2,250.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$900), for 23 Total Claims over 20 (\$1,150), and for 1 Independent Claim over 3 (\$200), as a Large Entity;
- 13) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


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